

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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GLORIA ABRAHAMSON,

Plaintiff,

ORDER

v.

16-cv-699-wmc

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

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On March 15, 2019, the court issued an order and judgment remanding this case to the commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g) pursuant to stipulation of the parties. Judgment was also entered on March 15, 2019. Now before the court is plaintiff Gloria Abrahamson's attorney's petition for fees pursuant to § 406(b)(1) in the amount of \$6,559.00. (Dkt. #17.) Defendant does not object to this motion. (Dkt. #19.)

**Fees under 42 U.S.C. § 406**

As part of its judgment, a court may allow "a reasonable fee . . . not in excess of 25 percent of the . . . past-due benefits" awarded to the claimant. § 406(b)(1)(A). The fee is payable "out of, and not in addition to, the amount of [the] past-due benefits." *Id.* Counsel asks the court to approve an attorney fee award in the amount of \$6,559.00, which represents 25 percent of what was awarded to plaintiff in past-due benefits. Having considered the supporting materials filed by plaintiff's attorney, and hearing no objection

from plaintiff or defendant, the court will grant the motion. The fees requested by counsel are reasonable in light of the time he and members of his firm spent on this case and the favorable result he obtained for plaintiff while working on a contingency basis.

ORDER

IT IS ORDERED that counsel's motion for attorney fees under 42 U.S.C. § 406(b)(1) in the amount of \$6,559.00 (dkt. #17) is GRANTED.

Entered this 19th day of October, 2020.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge